

# **EXHIBIT C**

### **Summary of Alleged Incidents**

This summary is based on facts that are known, or have been reasonably inferred, for each of the seven incidents alleged in this litigation. It is provided for ease of reference.

#### **January 8, 2001 Incident**

The Guetta plaintiffs were the victims of a machine gun attack while driving near Givon Junction near Jerusalem on January 8, 2001. *See* Amended Complaint at ¶¶ 56-57. The driver, Varda Guetta, is not alleged to be a U.S. citizen. *See id.* at ¶ 27. In that attack, her son, Oz Joseph Guetta, was wounded, and he is alleged to be a U.S. citizen. *See id.* at ¶¶ 26, 58. Based on the information in the Amended Complaint, it appears likely that the vehicle in which the Guettas traveled was an Israeli-licensed vehicle, and was attacked for that reason. There are no allegations in the Amended Complaint suggesting that any of the passengers in the vehicle were readily identifiable as American citizens to the perpetrators of the tort described in the Amended Complaint. Accordingly, while Oz Joseph Guetta may be a U.S. citizen, there is no evidence that the fact of his U.S. citizenship was the reason for the machine gun attack. More likely, the perpetrators of the tort alleged in the Amended Complaint intended to target Israeli interests or residents.

#### **January 22, 2002 Incident**

The Gould, Rine, and Waldman plaintiffs were the victims of a machine gun attack that took place in downtown Jerusalem on January 22, 2002. *See id.* at ¶¶ 70-71. While the Amended Complaint states that each of the plaintiffs allegedly injured by the January 22 attack was a U.S. citizen, *see id.* at ¶¶ 9-16, the Amended Complaint does not assert that any of the plaintiffs was readily identifiable as U.S. citizens to the attacker, or that the plaintiffs present at the scene of the shooting attack were targeted because of their U.S. citizenship. The attack took

place in downtown Jerusalem, Israel, and therefore, based on information and belief, was directed at Israeli targets and interests. Indeed, it has been reported that this attack was retaliation for Israel's assassination of four Hamas leaders. *See* Dave Newbart, *Skokie Student Hurt in Jerusalem Attack*, Chicago Sun-Times, Jan. 23, 2002, at 3 (stating that the attack "was apparently in retaliation for Israel's assassination of four Hamas leaders."). Accordingly, there are no allegations or evidence suggesting that the perpetrators of this tort were targeting U.S. citizens due to their nationality. The available evidence strongly suggests this was intended as an attack against Israeli interests and residents.

#### **January 27, 2002 Incident**

The Sokolow plaintiffs were victims of a bombing attack that took place on Jaffa Street in Jerusalem, Israel on January 27, 2002. *See* Amended Complaint at ¶ 80. While the Amended Complaint states that each of the plaintiffs allegedly injured by the January 27 bombing were U.S. citizens, *see id.* at ¶¶ 4-8, the Amended Complaint does not assert that any of the plaintiffs were readily identifiable as U.S. citizens to the attacker, or that plaintiffs present at the bombing were targeted because of their U.S. citizenship. This attack took place in downtown Jerusalem, Israel, and therefore, based on information and belief, was directed at Israeli targets and interests. Indeed, it has been reported that the bombing was a response to Israeli military actions. *See* Hadeel Wahdan, *Palestinian Woman Bomber was a Paramedic who had been Injured in Clashes*, The Associated Press, Jan. 30, 2002 (stating that "Idris...carried out the bombing in response to Israeli military actions...."). There are no allegations or evidence suggesting that the perpetrators of this tort were targeting U.S. citizens or interests due to their nationality. The available evidence strongly suggests this was intended as an attack against Israeli interests.

**March 21, 2002 Incident**

The Bauer plaintiffs were victims of a bombing attack that took place on King George Street in downtown Jerusalem, Israel on March 21, 2002. *See* Amended Complaint at ¶ 94. While the Amended Complaint states that all but one of the plaintiffs allegedly injured by the March 21 bombing were U.S. citizens (Mrs. Revital Bauer is not alleged to be a U.S. citizen), *see id.* at ¶¶ 17-22, the Amended Complaint does not assert that any of the plaintiffs were readily identifiable as U.S. citizens to the attacker, or that the plaintiffs present at the bombing were targeted because of their U.S. citizenship. This attack took place in downtown Jerusalem near the site of the January 27 bombing discussed above, and therefore, based on information and belief, was directed at Israeli targets and interests. There are no allegations or evidence suggesting that the perpetrators of this tort were targeting U.S. citizens or interests due to their nationality. The available evidence strongly suggests this was intended as another in a series of attacks against Israeli interests.

**June 19, 2002 Incident**

The Mandelkorn plaintiffs were victims of a bombing attack that took place at the French Hill intersection in northern Jerusalem, Israel on June 19, 2002. *See id.* at ¶ 102. The only Mandelkorn plaintiff alleged to have been present at the bombing is not alleged to be a U.S. citizen. *See id.* at ¶ 24. The amended complaint does not allege that any Mandelkorn plaintiff present at the bombing was readily identifiable as a U.S. citizen to the attacker, or that Shaul Mandelkorn, the only plaintiff present at the site of this incident, was targeted due to the U.S. citizenship of his father, Rabbi Leonard Mandelkorn, who was not alleged to be present at the site of the bombing. *See id.* at ¶¶ 104-06. This attack took place in northern Jerusalem, and there is a stark absence of any nexus between U.S. interests or citizens and the bombing. The

available evidence strongly suggests this was intended as another in a series of attacks against Israeli interests and citizens; indeed, the only plaintiff present at the bombing and alleged to have suffered physical injuries is not alleged to be a U.S. citizen. *See id.* at ¶ 24.

#### **July 31, 2002 Incident**

The plaintiffs suing due to alleged injuries sustained as a result of the July 31, 2002, bombing at Hebrew University in Northern Jerusalem are all alleged to be U.S. citizens. *See id.* at ¶¶ 28-37. Of the fourteen plaintiffs claiming injuries from the Hebrew University bombing, only four were present at Hebrew University when the events alleged in the Amended Complaint took place. *See id.* at ¶¶ 112-14. The amended complaint does not allege that any of the plaintiffs present at Hebrew University was readily identifiable as U.S. citizens to the attacker, or that these individuals were targeted due to their status as U.S. citizens. This attack took place at an Israeli university located in Jerusalem. Accordingly, there is an absence of a nexus between U.S. interests and the target of the bombing. The Hebrew University is a distinctly Israeli target, and there is no allegation in the Amended Complaint that the attack on the Hebrew University was intended as an attack on U.S. interests.

#### **January 29, 2004 Incident**

The Goldberg plaintiffs were victims of a bombing that took place on an Israeli bus in Jerusalem. *See id.* at ¶ 120. The Amended Complaint alleges that Stuart Scott Goldberg was killed in the bombing. *Id.* at ¶ 122. The Amended Complaint, however, fails to allege that Stuart Scott Goldberg was a U.S. citizen. *Id.* at ¶ 38. In fact, based on information and belief, Stuart Scott Goldberg was a citizen of Canada. *See* Anna Morgan, *That's the way Chezi Was*, Canadian Jewish News, Feb. 4, 2004, *available at* <http://theawarenesscenter.org/chezigoldberg.html>. It also appears that Mr. Goldberg and his family were residents of Israel for many years prior to the

January 29 bombing. *Id.* The remaining Goldberg plaintiffs are alleged to be U.S. citizens, though none is alleged to have been present at the bombing that took Stuart Scott Goldberg's life. *See* Amended Complaint at ¶¶ 38-45. The Amended Complaint does not allege Stuart Scott Goldberg was targeted due to the citizenship of his family, or that the attackers intended to target U.S. interests or individuals based on their U.S. citizenship. The attack took place on an Israeli bus, and appears to have targeted Israeli citizens and residents; indeed, the only Goldberg plaintiff present at the bombing, represented by Karen Goldberg in her capacity as personal representative of the Estate of Stuart Scott Goldberg, was Stuart Scott Goldberg, who is not alleged to be a U.S. citizen.